

**DOCKET #:** W2925

**PROPOSED ZONING:**  
NB-S (Services, Personal)

**EXISTING ZONING:**  
RS9

**PETITIONER:**  
William B. Hairston  
Jr. and Vanessa F. Hairston  
for property owned by  
Same

**SCALE:** 1" represents 200'

**STAFF:** Roberts

**GMA:** 2

**ACRES:** 0.31

**NEAREST  
BLDG:** 30' southwest

**MAP(S):** 642858

April 25, 2007

William B. Hairston, Jr. and Vanessa F. Hairston  
541 Linville Road  
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT W-2925

Dear Mr. and Ms. Hairston:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
Jimmy Norwood, P. O. Box 4888, Winston-Salem, NC 27115

**ACTION REQUEST FORM**

**DATE:** April 25, 2007  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Map Amendment of William B. Hairston, Jr. and Vanessa F. Hairston

**SUMMARY OF INFORMATION:**

Zoning Map Amendment of William B. Hairston, Jr. and Vanessa F. Hairston from RS-9 to NB-S (Services, Personal): property is located on the north side of Old Greensboro Road between Waterworks Road and Chandler Drive (Zoning Docket W-2925)

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO

CITY ORDINANCE - SPECIAL USE

Zoning Petition of William B. Hairston, Jr. and Vanessa F. Hairston, Docket W-2925

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to NB-S (Services, Personal) the zoning classification of the following described property:

Tax Block 3269, Tax Lot 027

Section 2. This Ordinance is adopted after approval of the site plan entitled William B. Hairston, Jr. and Vanessa F. Hairston and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to William B. Hairston, Jr. and Vanessa F. Hairston.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as William B. Hairston, Jr. and Vanessa F. Hairston. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council  
of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of William B. Hairston, Jr. and Vanessa F. Hairston, (Zoning Docket W-2925). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for NB-S (Services, Personal), approved by the Winston-Salem City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_" and signed, provided the property is developed in accordance with requirements of the NB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF ANY PERMITS**
  - a. Developer shall obtain a driveway permit from Winston-Salem Department of Public Works.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.
  - b. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.
  - c. Developer shall close all unused curb cuts.
  
- **OTHER REQUIREMENTS**
  - a. No freestanding signage shall be permitted.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	W-2925		
<b>Staff</b>	Gary Roberts, AICP		
<b>Petitioner(s)</b>	William B. Hairston, Jr. and Vanessa F. Hairston		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Tax Lot 27 / Tax Block 3269		
<b>Type of Request</b>	Special use rezoning to NB-S		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS-9 Residential, Single Family District; 9,000 sf minimum lot size <b>to</b> NB-S Neighborhood Business District. The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Services, Personal</li> </ul>		
<b>Zoning District Purpose Statement</b>	<p>The NB District is primarily intended to accommodate very low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in Growth Management Areas 2, 3, 4, and 5.</p>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	North side of Old Greensboro Road between Waterworks Road and Chandler Drive		
<b>Jurisdiction</b>	City of Winston-Salem		
<b>Ward(s)</b>	East		
<b>Site Acreage</b>	Approximately ± .31 acre		
<b>Current Land Use</b>	The site is currently developed with a small commercial structure which is proposed to remain.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS-9	Single family homes
	East	RS-9	Single family homes
	South	RS-9	Single family homes
	West	RS-9	Single family homes

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	The only use proposed for the site is Services, Personal. In light of the relatively small size of the existing commercial structure, which has been on the site since approximately 1940, and the low- intensity nature of said proposed use, subject request should not be incompatible with the surrounding single family homes. By complying with the street yard and buffering requirements of the UDO, to the extent practicable, the site will become more complementary of the adjacent residential properties.			
<b>Physical Characteristics</b>	The developed southeastern portion of the site fronting on Old Greensboro Road is relatively flat. The remainder of the site has a moderate slope downward to the northwestern portion of the site where there is some mature vegetation.			
<b>Proximity to Water and Sewer</b>	Public water and sewer are available to the site.			
<b>Stormwater/ Drainage</b>	No known issues.			
<b>Analysis of General Site Information</b>	The subject request will result in relatively minor changes to the existing site which already includes a commercial structure and limited parking in the front yard.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
Old Greensboro Road	Minor Thoroughfare	125'	5,200	16,100
<b>Proposed Access Point(s)</b>	Existing access onto Old Greensboro Road to be reworked to provide better definition.			
<b>Planned Road Improvements</b>	The Thoroughfare Plan recommends sidewalks along Old Greensboro Road.			
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: RS-9</u> $.31 \times 43,560 / 9,000 = 1 \text{ unit} \times 9.57 \text{ (SFR Trip Rate)} = 10 \text{ Trips per Day}$  <u>Proposed Zoning: NB-S</u> No comparable trip rate available for the proposed use of hair salon.			
<b>Sidewalks</b>	A sidewalk is currently located along the frontage of the subject property.			
<b>Transit</b>	Route 25 along Old Greensboro Road			
<b>Traffic Impact Study (TIS)</b>	Not required.			
<b>Analysis of Site Access and Transportation Information</b>	The site currently has two 30' driveways onto Old Greensboro Road. Due to the relatively small size of the site, much of the internal circulation area associated with these driveways is of little use in regard to meeting the required number of parking spaces. Planning and WSDOT staff recommend the site either be reworked to allow a one-way circulation or			

	that one of the driveways be closed. The revised site plan reflects removal of one of the driveways.
<b>Generalized Recommended Conditions</b>	<b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b> <ul style="list-style-type: none"> <li>• Close any unused curb cuts.</li> </ul>
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 2, Urban Neighborhoods
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• <i>Infill and Redevelopment:</i> Manage growth by making more efficient use of land that has already been developed, encouraging reuse and infill and capitalizing on other development opportunities. Older urban and suburban neighborhoods should be reinforced as good places to live and do business. (p. 25)</li> <li>• This is an area in which to encourage quality infill development, greater residential densities where appropriate, neighborhood retail, and community services. (p.30)</li> <li>• Locating buildings close to the street, <u>lining the street with trees</u>, <u>buffering the street with parked cars</u>, ensuring buildings have display windows at the sidewalk edge all provide an interesting walking environment where pedestrians feel a sense of activity, enclosure and safety. <u>Parking should be located to the rear and sides</u> or under retail and office buildings. (p. 52)</li> <li>• Encourage redevelopment of infill and “under invested” areas. (p. 71)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>Revitalizing Urban Commercial Areas (RUCAs--Draft 2006)</i> and <i>Northeast Area Plan</i> (presently underway). Property is located 2 blocks (approximately 1/3 of a mile) northeast of the identified Old Greensboro Road/Barbara Jane Avenue RUCA.
<b>Other Applicable Plans and Planning Issues</b>	<p><i>RUCAs (Draft 2006)</i></p> <ul style="list-style-type: none"> <li>• With the returning popularity of walkable communities comes the recognition of the importance of the small-scale neighborhood commercial district. (p.1)</li> <li>• By providing the option of walking to services, we also promote the health benefits of activity, social interaction and better air quality through reduced vehicle miles traveled. (p.1)</li> <li>• Zoning (and development review) tools have the potential to help RUCAs by requiring regulatory measures for landscaping, screening, buffering, (and other appearance criteria) in older commercial areas. (p.8)</li> <li>• <i>Old Greensboro Road/Barbara Jane Avenue RUCA:</i> The area is in the Neighborhood Revitalization Strategy Area (NRSA), qualifying property owners for the City’s Economic Revolving Loan Program and the Building Improvement Rehabilitation Program. (p.57)</li> </ul>



<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with <i>Legacy</i>?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The subject property is developed with a commercial building which has been on the site since approximately 1940. The proposed rezoning from RS-9 to NB-S would be in conformance with the recommendations of <i>Legacy</i> and the <i>Old Greensboro Road/Barbara Jane Avenue RUCA</i> in that it would allow a more efficient use of developed land and allow a neighborhood-serving use to legally occur on the site. In order to ensure that the proposed conversion to a commercial district is done in a manner which is sensitive to the surrounding single family neighborhood, staff recommends conditions regarding lighting and signage.</p> <p>It should be noted that due to commercial history of the subject property, the current request is relatively unique. If approved, it should not be used as a precedent to justify further commercial rezonings in this area, especially prior to the completion of the <i>Northeast Area Plan</i>, which is presently underway.</p>					
<b>Generalized Recommended Conditions</b>	<p><b><u>BRIEF DESCRIPTION OF CONDITION(S):</u></b></p> <ul style="list-style-type: none"> <li>• Signage condition</li> <li>• Lighting condition</li> </ul>					
<b>RELEVANT ZONING HISTORIES</b>						
<b>Case</b>	<b>Request</b>	<b>Decision &amp; Date</b>	<b>Direction from Site</b>	<b>Acreage</b>	<b>Recommendation</b>	
					<b>Staff</b>	<b>CCPB</b>
W-2611	RS-9 to RSQ-S	Approved 4-7-03	200' east	.65	Approval	Approval
W-1480	R-4 to R2-S	Denied 2-1-98	200' east	2.4	Approval	Approval
<b>SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS</b>						
<b>Building Square Footage</b>	<b>Square Footage</b>			<b>Placement on Site</b>		
	1,156 sf			Front center of the site.		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>		
	2 spaces	2 spaces		To the front and sides of the building		
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>		
	40'			One story		
<b>Impervious Coverage</b>	<b>Maximum</b>			<b>Proposed</b>		
	60%			41.9%		

<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Chapter B, Article II, Section 2-1.3 (E) Neighborhood Business District</li> </ul>	
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	<b>(A) Legacy policies:</b>	Yes
	<b>(B) Environmental Ord.</b>	NA
	<b>(C) Subdivision Regulations</b>	NA
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The revised site plan complies with the requirements of the UDO.	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>		
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>
Request will allow the legal continuation of a neighborhood serving commercial use within a building which has a long history of commercial activity.		Request may lead to further residential to business rezoning requests along this section of Old Greensboro Road.
Request will bring the site up to compliance with the UDO in regard to parking, landscaping and buffering requirements.		
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>		
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.		
<ul style="list-style-type: none"> <li><b>PRIOR TO THE ISSUANCE OF ANY PERMITS</b> <ul style="list-style-type: none"> <li>a. Developer shall obtain a driveway permit from Winston-Salem Department of Public Works.</li> </ul> </li> <li><b>PRIOR TO THE ISSUANCE OF BUILDING PERMITS</b> <ul style="list-style-type: none"> <li>a. All site lighting shall have a maximum height of 20 feet. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.</li> </ul> </li> <li><b>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS</b> <ul style="list-style-type: none"> <li>a. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.</li> <li>b. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas where no conflict occurs with overhead utility lines.</li> <li>c. Developer shall close all unused curb cuts.</li> </ul> </li> <li><b>OTHER REQUIREMENTS</b> <ul style="list-style-type: none"> <li>a. No freestanding signage shall be permitted.</li> </ul> </li> </ul>		

**STAFF RECOMMENDATION: APPROVAL**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions. Additionally, the Planning Board made a finding that a Type I bufferyard was adequate for this redevelopment project, consistent with the requirements of Section B.3-5.2(c) of the *Unified Development Ordinances*.

SECOND: Wesley Curtis

VOTE:

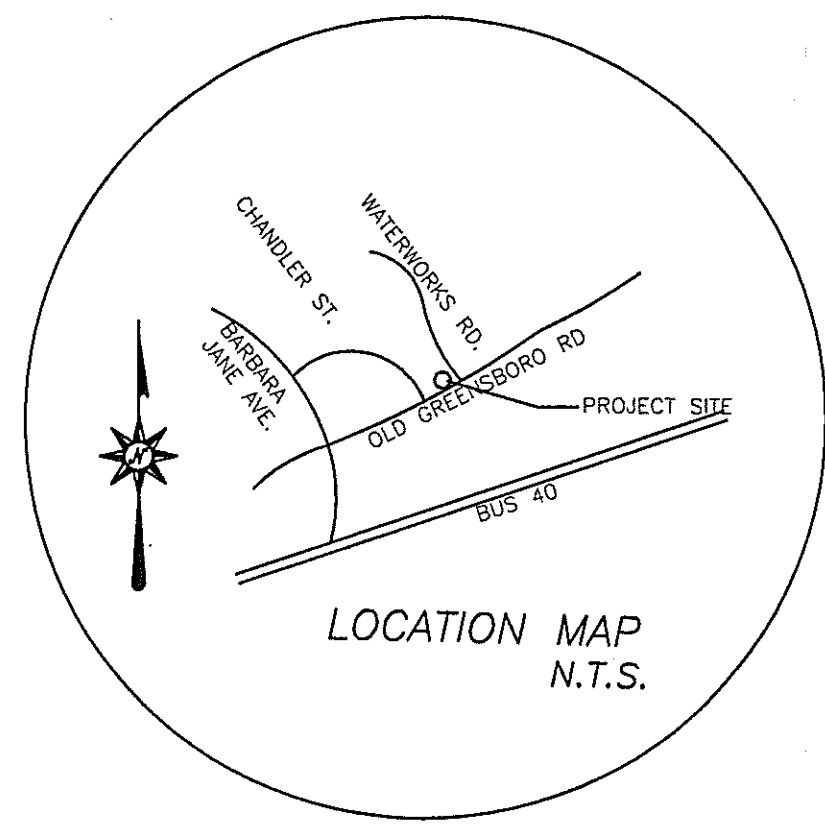
FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning



<b>PURPOSE STATEMENT</b>	
REQUEST FOR REZONING OF BLOCK LOT 3269 027 WHICH IS PRESENTLY ZONED RS-9. IT IS REQUESTED THAT THE NEW ZONING BE NB-S.	
THE PROPOSED USE OF THE EXISTING BUILDING IS SERVICES, PERSONAL (HAIR SALON).	
<b>PROJECT LOCATION</b>	
ADDRESS: 3323 OLD GREENSBORO RD WINSTON-SALEM, NC 27105	
TAX BLOCK 3269 LOT 027	
<b>ZONING</b>	
EXISTING ZONING: RS-9 PROPOSED ZONING: NB-S	
<b>PROPOSED USES</b>	
EXISTING BUILDING:	BUILDING GROSS SQUARE FEET
CURRENT USE: RESTAURANT (W/O DRIVE-THROUGH SERVICE)	1,156 SF
PROPOSED USE: SERVICES, PERSONAL	BUILDING HEIGHT: 1 STORY
<b>SITE SIZE AND COVERAGE</b>	
TOTAL ACREAGE: 0.308 +/- (13,406.32 SF +/-)	
BUILDING TO LAND 11.8%	
PAVEMENT TO LAND 16.4%	
OPEN SPACE 72.0%	
<b>INFRASTRUCTURE</b>	
WATER: PUBLIC	
SEWER: PUBLIC	
STREETS: PUBLIC	
<b>FRONT YARD PLANTING REQUIREMENTS</b>	
° MINIMUM TWO (2) DECIDUOUS TREES PER ONE HUNDRED (100) LINEAR FEET.	
° SHRUBS MUST BE MIN. EIGHTEEN (18) INCHES IN HEIGHT AT INSTALLATION, W/ MIN. HEIGHT OF THIRTY-SIX (36) INCHES WITHIN THREE YEARS AFTER INSTALLATION. A MAX. OF 30% OF SHRUBS SHALL BE DECIDUOUS.	
<b>TYPE I BUFFERYARD PLANTING REQUIREMENTS</b>	
° MIN. 10' WIDE BUFFERYARD TO INCLUDE 2 DECIDUOUS TREES;	
° PRIMARY EVERGREEN PLANTS; 10 SUPPLEMENTAL EVERGREEN SHRUBS	
<b>PLANTING LEGEND</b>	
MAPLE (M)	
AMERICAN HOLLEY (AH)	
DWARF BURFORD HOLLEY (DBH)	
<b>OFF-STREET PARKING</b>	
PROPOSED USE: HAIR SALON (SERVICES, PERSONAL)	
PARKING CALCULATIONS:	
1 SPACE/400 SF GFA	
1156 SF / 400 = 2.89 + 30% REDUCTION	
2 SPACES REQUIRED	
3 SPACES PROVIDED	
JURISDICTION OF CITY OF WINSTON-SALEM	

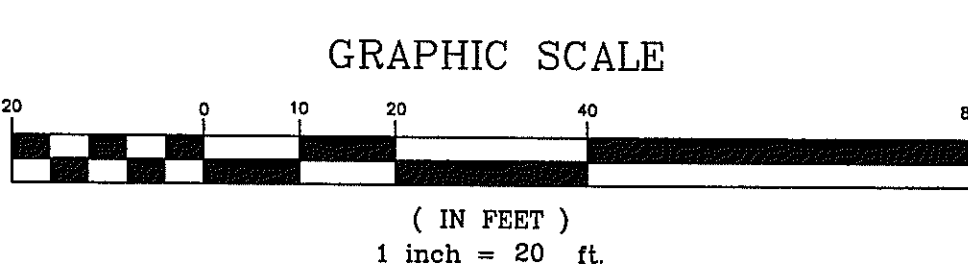
**OWNER/APPLICANT:** WILLIAM HAIRSTON  
**MAILING ADDRESS:** 541 LINVILLE RD.  
 KERNERSVILLE, NC 27284  
**TELEPHONE#:** 336-830-1820 (MOBILE)

**PLAN PREPARER:** JIMMY L. NORWOOD, JR. ARCHITECT  
**MAILING ADDRESS:** P.O. BOX 4888  
 WINSTON-SALEM, NC 27115  
**TELEPHONE#:** 336-744-8100 (OFFICE)  
**FAX#:** 336-744-8088 (OFFICE)

- GENERAL NOTES:**
- NO ALTERATIONS OR ADDITIONS ARE PROPOSED TO EXISTING BUILDING. PROPOSED WORK TO TAKE PLACE WITHIN EXISTING STRUCTURE.
  - REPAIR ANY DAMAGE FROM CONSTRUCTION TO CITY STREETS.
  - NO ALTERATIONS OR CHANGES ARE PROPOSED TO EXISTING GRADES. ALL LANDSCAPING TO REMAIN.
  - UNIT LOCATED AT NEW ACCESSIBLE PARKING TO BE RELOCATED.
  - EXISTING UNUSED ASPHALT TO BE REMOVED.
  - EXISTING CURBOUT TO BE REMOVED.
  - TOPO IS EXISTING.
  - NO WASTE FACILITY WILL BE LOCATED ON SITE.

<b>LEGEND</b>	
SS	SANITARY SEWER
W	WATER
P	ABOVE GROUND POWER LINES
X	EXISTING CHAIN LINK FENCE
	EXISTING PAVING TO REMAIN
	EXISTING PAVING TO BE REMOVED

**NOTE:** INFORMATION USED TO PREPARE MAP PROVIDED BY OWNER. SITE INFORMATION REFERENCED FROM SITE PLAN PREPARED BY TECHNICAL CONSULTANTS. DATED SEPT. 14, 1995.



**SITE PLAN**  
 1" = 20'-0"

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**JIMMY L. NORWOOD, JR.**  
 ARCHITECT  
 PO BOX 4888  
 WINSTON-SALEM, NC 27115  
 TELE: (336) 744-8100 FAX: (336) 744-8088

Seal  
  
 04 05 2007

Design Approvals  
**Approved:**  
 \_\_\_\_\_  
 Date: \_\_\_\_\_

Project Name:  
**WILLIAM HAIRSTON, JR.**  
 3323 OLD GREENSBORO RD.  
 WINSTON-SALEM, NC  
 Phone: 336-830-1820

**W-2025**

Sheet Title:  
**SITE PLAN**  
 Pin: 6845-59-2081  
 Block/Lot: 3269 027  
 Deed Bk-Pg: 1823-2161

**REVISIONS:**

DATE: 4/25/07	NO. 1
DATE: _____	NO. _____
DATE: _____	NO. _____
DATE: _____	NO. _____
DATE: _____	NO. _____

**DRAWN BY:** SAM  
**CHECKED BY:** JLN  
**DATE:** 03/20/07  
**PROJECT NO.:** 0702  
**SHEET** SP-1

**ZONING File Copy Revised**